



\$~86

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

*Date of Decision: 22<sup>nd</sup> July, 2025*

+ CM(M) 835/2025 & CM APPL. 27132-27133/2025  
RAMBETI

.....Petitioner

Through: Mr. Pratap Sahani and Mr. Manish  
Kumar Badal, Advocates.

versus

PANDIT RAM KISHAN SHARMA

.....Respondent

Through: Appearance not given.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Petitioner herein is defending an eviction petition which has been filed on the ground of *bona fide* requirement.
2. Leave to defend was granted to the tenant (petitioner herein) and case was put to trial.
3. When the case was at the stage of tenant's evidence, she sought time to move an application for summoning additional witnesses. Her endeavour was to dispute and disprove the ownership of the landlord over the tenanted premises.
4. However, her such request has been declined *vide* order dated 11.02.2025.
5. She, thereafter, challenged abovesaid order by filing an appeal, which was also dismissed by learned District Judge *vide* order dated 09.04.2025.
6. Such order dated 09.04.2025 is under challenge.



7. Pursuant to notice issued by this Court, learned counsel for respondent (landlord) has appeared and submits that, without prejudice to his rights and contentions, he would have no objection if the petitioner is permitted to summon proposed additional witnesses as mentioned in order dated 11.02.2025.

8. Needless to say, in a petition which seeks eviction on the ground of *bona fide* requirement, any such tenant needs to be given a due opportunity to disprove the factum of ownership of any such landlord over the tenanted premises.

9. Be that as it may, in view of the fact that there is no opposition to the petition in question, the present petition is disposed of with direction to learned Controller to permit examination of proposed additional witnesses as reflected in order dated 11.02.2025. The petitioner would be at liberty to move appropriate application for summoning said witness.

10. The petition stands disposed of in aforesaid terms.

11. It is, however, clarified that this Court has not made any observation with respect to the merits of the eviction petition.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 22, 2025/ss/SS**